IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

And
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 10688 of 2004

Between:

S.Venkata Rao, S/o Ramappadu,
Working as Assistant Motor Vehicle Inspector (Under Suspension), Transport Department, O/o Dy.Transport Commissioner, Visakhapatnam.

..... PETITIONER

AND

1 State of Andhra Pradesh, rep.by its Secretary to the Government, Transport Department, Secretariat Buildings, Hyderabad.
2 The Commissioner of Transport, Government of Andhra Pradesh, Hyderabad.
3 Deputy Transport Commissioner, Madhavadhara, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an Order or direction more particularly one in the nature of Writ of Mandamus, declaring the proceedings of the Transport Commissioner, A.P.Hyderabad in his R.No.2821/3/2003, dated 15-3-2003 as being arbitrary, illegal, unconstitutional and violative of Articles 14 and 21 of the Constitution of India and set aside the same and also declare the records of the Hon'ble A.P.Administrative Tribunal, Hyderabad in ordering notice before admission, without granting any interim orders in O.S.No.853/04 dated 17-2-2004.

Counsel for the Petitioner: MR.CH.SAMSON BABU

Counsel for the Respondents: GP FOR SERVICES II

The Court made the following:

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ORAL ORDER: (By GB. J.)

The Writ Petition is filed assailing the order of suspension dated 15.3.2003.

2. It is borne out from the record that the petitioner had already filed OA.No.853 of 2004 before the A.P. Administrative Tribunal (for short Tribunal) challenging the order of suspension, but, however, no orders were passed by the Tribunal.

3. The grievance of the petitioner is that though the matter is covered by the decisions of this Court, the matter is not being listed for various reasons. We have also heard the learned G.P. for Services-II.

4. Inasmuch as the matter is pending before the Tribunal, we are not inclined to express any opinion, but we feel it appropriate to direct the Tribunal to dispose of OA.No.853 of 2004 expeditiously, if not already disposed of. Accordingly the petitioner is directed to file an application before the Tribunal seeking expeditious disposal of the above OA and we hope and trust the same will be considered by the Tribunal and dispose of the above OA accordingly.

5. With the direction indicated above, the Writ Petition is disposed of. No costs.

(G.BIKSHAPATHY, J.)

22nd November, 2004.

(P.S.NARAYANA, J.)

SSR

To

1 Secretary to the Government,, State of Andhra Pradesh,
Transport Department, Secretariat Buildings, Hyderabad.
2 The Commissioner of Transport, Government of Andhra Pradesh, Hyderabad.
3 Deputy Transport Commissioner, Madhavadhara, Visakhapatnam.

4 2CCs to G.P. for Services-II, High Court of A.P. (OUT)

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